

Senate Bill 266

By: Senator Wiles of the 37th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

To amend Chapter 21A of Title 15 of the Official Code of Georgia Annotated, relating to judicial accounting, so as to add a penalty, late fees, and interest for failure to remit certain funds and reports to the authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 21A of Title 15 of the Official Code of Georgia Annotated, relating to judicial accounting, is amended by revising Code Section 15-21A-8, relating to the penalty for failure to remit funds, as follows:

"15-21A-8.

(a) Any clerk of court or any other officer or agent receiving any funds subject to this chapter who knowingly fails to pay over any such funds to the authority as required by this chapter, after receiving notice from the authority that such funds are delinquent, shall be guilty of a misdemeanor, except that if the amount of funds knowingly not paid over is \$10,000.00 or more then such person shall be guilty of a felony and punished by imprisonment for not less than one nor more than ten years. The offense created by this Code section subsection shall not merge with any other offense. Any court, as such term is defined in Code Section 15-21A-7, which is delinquent in paying over funds to the authority shall also pay a late fee equal to 5 percent of the funds owed and interest at the legal rate of interest as set forth in Code Section 7-4-2.

(b) No state administered financial assistance, grant, or loan shall be issued to any local government when any clerk of court or any other court officer, judge, or agent of the court of such local government knowingly fails to comply with subsection (b) of Code Section 15-21A-7 after receiving notice from the authority that such report is delinquent."

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- SECTION 2.**
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- All laws and parts of laws in conflict with this Act are repealed.